

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

**IN RE: Ronald L. Harper, Debtor**

**Case No. 22-50697-KMS  
CHAPTER 13**

**MOTION TO APPROVE SETTLEMENT, COMPENSATE SPECIAL COUNSEL AND  
AUTHORIZE DISTRIBUTION OF PROCEEDS**

COMES NOW, Thomas C. Rollins, Jr., attorney for Pulaski Kherkher, PLLC (“Special Counsel”), and files this Motion to Approve Settlement, Compensate Special Counsel and Authorize Distribution of Proceeds and in support thereof, would show to this Honorable Court as follows, to-wit:

1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b).
2. That the Court has authority to allow this compensation and to pay the same as authorized by 11 U.S.C. § 330.

**SETTLEMENT TERMS AND DISTRIBUTION OF PROCEEDS**

3. On or about March 24, 2025, Pulaski Kherkher, PLLC was employed as Special Counsel (Dk# 60) representing Debtor in a 3M Combat Arms Earplugs case. That Debtor and Special Counsel agreed to a contingency fee of 40% plus expenses.
4. The personal injury claim is now settled in the gross amount of \$10,000.00. The settlement is fair and in the best interest of the Debtor and the bankruptcy estate.
5. Per the terms of the settlement, the settlement administrator should disburse the following:
  - a. Common Benefit Fund Deduction - \$900.00
    - i. Per the terms of the master Settlement Agreement, work performed for the benefit of all CAE Claimants are paid from a Common Benefit Fund. On

September 19, 2023, the United States District Court for the Northern District of Florida ordered 9% of every settlement award be set aside in the Common Benefit Fund. Attorney's fees are calculated as a percentage of the settlement after deducting Common Benefit Funds deductions.

- b. Attorney's Fees to Pulaski Kherkher, PLLC - \$2,105.00 (Reduced by \$1,535.00)
  - c. Expenses to Pulaski Kherkher, PLLC - \$1,673.19 (Reduced by \$500.00)
  - d. Administrative Costs - \$420.00
    - i. QSF Administration Fee - \$20.00
    - ii. Milestone Bankruptcy Coordination fee - \$400.00
  - e. Medical Lien Holdback - \$71.58
  - f. \$4,830.23 to the Chapter 13 Trustee
6. Special Counsel requests settlement approval and authority to pay the net settlement proceeds of \$4,830.23 to the Chapter 13 Trustee.

#### **COMPENSATION OF SPECIAL COUNSEL**

7. That Applicant has taken into consideration the factors outlined in *Johnson v. Georgia Highway Express, Inc.*, 499F.2d 714 (5<sup>th</sup> Cir. 1974), made applicable to proceedings in this Court by the decision in *In Re First Colonial Corp. of America*, 544 F. 2d, 1291 (5<sup>th</sup> Cir., *cert. denied*, 97 S. Ct. 1696 [1977]), in establishing a reasonable request for compensation. The fee is reasonable in light of the requirements that bankruptcy estates be administered as economically as possible and that all the services rendered are of a legal nature requiring the services of an attorney.

8. To a certain extent, other employment was precluded by services rendered in that at certain periods of the administration of this bankruptcy, the legal representation of the bankruptcy estate prevented the attorneys from working on other cases.

9. That the attorneys are duly licensed and authorized, practicing in Mississippi.

10. Debtor is entitled to a distribution from a settlement in the gross amount of \$10,000.00. Special Counsel requests attorney's fees of \$2,105.00, representing a discount from the agreed 40% of the gross settlement and \$1,673.19 as reimbursement of necessary expenses. That a 40% contingency falls within the range of customary attorney's fees for this type of matter.

WHEREFORE, the undersigned requests that this Motion be received and filed and that an Order be entered approving the foregoing settlement and distribution of proceeds, and prays for such other, further, and general relief to which the Special Counsel may be entitled.

Respectfully submitted,

Morgan & Morgan

BY: /s/ Thomas C. Rollins, Jr.

Thomas C. Rollins, Jr. (MSBN 103469)  
Jennifer A Curry Calvillo (MSBN 104367)  
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CERTIFICATE OF SERVICE

I, Thomas C. Rollins, Jr., do hereby certify that a true and correct copy of the above and foregoing Motion to Approve a Settlement, Compensate Special Counsel and Authorize Distribution of Proceeds with Debtor was forwarded on April 16, 2025 to:

By Electronic CM/ECF Notice:

Chapter 13 Case Trustee

U.S. Trustee

/s/ Thomas C. Rollins, Jr.

Thomas C. Rollins, Jr. (MSBN 103469)